

June 12, 2008

Public Notice for Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects)

Bed Rock Products, Inc./Gualala Redwoods, Inc.

Gualala River Instream Gravel Extraction

(WDID# 1B07144WNSO)

Sonoma County

On August 31, 2007, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mrs. Karen Hay, of Bed Rock Products, Inc., requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Gualala River Instream Gravel Extraction Project, located near Sea Ranch, in Sonoma County. The proposed project causes permanent impacts to 14.4 acres of streambed within the Mendocino Coast, Gualala River Hydrologic Sub Unit No. 113.85, and Mendocino Coast, Wheatfield Fork Gualala River Hydrologic Sub Unit No. 113.84.

The project includes gravel extraction from 12 in-stream gravel bars along approximately 6.9 miles of the South Fork of the Gualala River and 1.4 miles of the Wheatfield Fork of the Gualala River. The purpose of the project is to remove up to a maximum of 40,000 cubic yards of sand and gravel per year from the in-stream gravel bars for commercial sale. Recent extraction volumes have averaged approximately 22,000 cubic yards per year, and it is anticipated that future extraction volumes will be at this average rate. The gravel bars are skimmed above the water surface by front end loaders, scrapers, and excavators. Then the gravel is delivered by dump trucks on existing logging roads to the processing site, and after processing, trucked 7 miles north to a concrete plant in Gualala.

The Regional Water Board will consider issuing a 401 Water Quality Certification for a period of five years, with the option of reviewing the previous years mining and mitigation work and issuing an amendment to the 401 Water Quality Certification with any changes that may be necessary for Adaptive Management measures for improvements to water quality, and to facilitate yearly fee payment based on actual volume of gravel extracted.

Gravel extraction and any in or near stream work, will be done beginning not before July 15, and to be completed by November 1, or during a shorter time period if required by other permitting agencies.

Threatened species under the federal Endangered Species Act that inhabit the Gualala River are the Central California Coast Coho salmon (*Oncorhynchus kisutch*) and Central California Coast steelhead trout (*Oncorhynchus mykiss*). Appropriate techniques, and directives by other resource agencies, will be employed to assure minimization of impact.

The Gualala River is included on the Clean Water Act 303(d) list for impairments associated with excessive sediment and high temperatures. A TMDL addressing

sediment impairments was established by the U.S. Environmental Protection Agency (USEPA) in December 2001. The Regional Water Board prepared a Technical Support Document (TSD) that addressed sources of sediment and temperature impairments, loading capacities, and load allocations necessary to restore sediment and temperature conditions supportive of beneficial uses related to the cold water fishery in the Gualala River Watershed. The TSD recommends the following: "Generally, available data indicate that aquatic habitat could be improved by reducing sediment delivery, increasing large woody debris for sediment metering and habitat, and enhancing the riparian canopy cover to reduce stream temperatures." Accordingly, the compensatory mitigation for the gravel mining project will include: (1) Hydraulic disconnection of roads currently delivering sediment to water courses. Roads will be disconnected by outsloping roads, removing berms, filling in ditches, installing rolling dips and critical dips at water course crossings; (2) Installation of large woody debris consisting of root wads and logs within selected fish bearing water courses. A third technique that may be applied if and when appropriate areas are identified, is planting of native trees along the riparian zones in the watershed to increase shade canopy to help reduce temperatures. The specific amounts of each type of mitigation are yet to be determined, but shall be determined by the various resource agencies within their respective permitting documents, and shall be adhered to by the applicant. A yearly proposal of which roads in the watershed will be disconnected, and where large woody debris will be installed will be proposed to and agreed on by involved permitting agencies before implementation. Additionally, any vegetation removed from mining operations shall be replaced in-kind on the gravel bars, or in the nearby vicinity. For each type of mitigation project, a five year monitoring plan to evaluate the efficacy of the mitigations will be implemented. For revegetation or planting mitigation, an 80% survival rate of all proposed plant species at the end of five years is required. Yearly monitoring and reporting will be required.

The applicant has an existing California Department of Fish and Game 1600 Streambed Alteration Agreement, file number 1600-2003-0312-03. This agreement expires December 31, 2008.

Applicant has applied for a United States Army Corps of Engineers Clean Water Act Section 404 Permit, in April, 2008.

The County of Sonoma is the lead agency for California Environmental Quality Act (CEQA), and has prepared a Draft Mitigated Negative Declaration, which is expected to be adopted by the Sonoma County Board of Supervisors in summer 2008.

At a minimum, the following construction Best Management Practices (BMPs) will be incorporated into the final project plans in order to reduce and control soil erosion, and shall be complete prior to the wet season: placement of stream crossings, extraction activities, and final gravel bar grading. All activities shall be conducted in a manner to prevent/minimize erosion and siltation and shall follow all requirements of the other agencies, including U.S. Army Corps of Engineers and NOAA Fisheries, California Department of Fish and Game, and the County of Sonoma. Work in and around waterways will be conducted during the dry season. The area at and around the processing site shall implement the use of berms, straw bales, straw mulch, hydro

seeding, a sediment basin, and associated maintenance to prevent erosion and sedimentation.

The gravel mining project is scheduled to be implemented between June 15, and November 1. Staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act Authority. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact staff member Stephen Bargsten at (707) 576-2653, or at sbargsten@waterboards.ca.gov, within 21 days of posting of this notice.

This is a brief summary of this project; all related documents and comments received are on file and may be inspected or copied at the Regional Water Board office, 5550 Skylane Blvd., Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.

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This public notice shall be mailed to: Mr. Bill Hay, Bed Rock Products, Inc., P.O. Box 366, Point Arena, CA 95468

cc: Mr. Bill Orme, SWRCB, 401 Program Manager, Clean Water Act Section 401 Certification and Wetlands Unit Program

Ms. Kim Niemeyer, SWRCB, Office of the Chief Counsel

Ms. Jane Hicks/Mr. Pete Straub, U.S. Army Corps of Engineers, Regulatory Functions, 1455 Market Street, San Francisco, CA 94103-1398

Mr. Dan Wilson, California Department of Fish and Game, P.O. Box 47, Yountville, CA 94599

Mr. John McKeon, National Marine Fisheries Service, 777 Sonoma Avenue, Suite 325, Santa Rosa, CA 95404

Mr. Ken Ellison, Sonoma County PRMD, 2550 Ventura Ave. Santa Rosa, CA 95403

Wetlands Regulatory Unit (WTR-8), U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105